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5                           **UNITED STATES DISTRICT COURT**  
6                           **DISTRICT OF NEVADA**

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8                           UNITED STATES OF AMERICA,                   }  
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11                           vs.    }  
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13                           JAMES LATIK HARRIS,                            }  
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UNITED STATES OF AMERICA,                   }  
Plaintiff,    }  
vs.    }  
JAMES LATIK HARRIS,                           }  
Defendant.    }

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Case No. 2:12-cr-00464-JCM-GWF

**ORDER**

Motion to Dismiss (#34)

This matter comes before the Court on Defendant's Motion to Dismiss (#34), filed on September 9, 2013. In light of Defendant's change of plea before the District Judge in this case, *see October 24, 2013 Minutes of Proceedings, Doc. #46*, the Court will vacate the Motion to Dismiss (#34). Accordingly,

**IT IS HEREBY ORDERED** that Defendant Harris' Motion to Dismiss Counts One through Four of the Indictment (#34) is **vacated** without prejudice.

DATED this 5th day of November, 2013.

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*George Foley, Jr.*  
GEORGE FOLEY, JR.  
United States Magistrate Judge